



# Desert Tortoise Situation Assessment Findings and Preliminary Recommendations



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Desert Tortoise Management Oversight Group  
August 15, 2006

# Background

- U.S. Institute for Environmental Conflict Resolution – independent federal agency
- Initial inquiry from FWS – August 2005
- Internal FWS Assessment
- Center for Collaborative Policy selected to conduct CA portion of assessment
- Assessment initiated at MOG – March 2005

# Assessment Team Members

- U.S. Institute for Environmental Conflict Resolution (AZ, NV, UT)
  - **Mike Eng (Project Lead)**
  - **Pat Lewis**
  - **Joan Calcagno**
- The Center for Collaborative Policy (CA)
  - **Austin McInerny (CCP Team Lead)**
  - **Dale Schaffer**
  - **Greg Bourne**


# Purpose and Scope of Assessment

- 🐢 Gauge receptivity for concept of Regional Working Groups
- 🐢 Evaluate feasibility
- 🐢 Determine key obstacles
- 🐢 Identify needed assurances to participate
- 🐢 If appropriate, recommend way to proceed

 106 interviews conducted May - August

**California: 51    Utah: 14**

**Nevada: 37    Arizona: 4**

 Interviewees: federal, tribal, state, local agency and elected officials; conservation, recreation, scientific, commercial, ranching, utility, and mining interest representatives

 Web survey: 23 responses

# Approach to Feasibility Analysis

Key elements in assessing feasibility of collaborative Regional Working Groups:

- **Potential for creating shared goal**
- **Potential for jointly crafting solutions**
- **Information available to inform deliberations**
- **Adequate funding and staff resources**
- **Support of agency & organizational leadership**
- **Willingness and incentives to participate**
- **Availability of conveners, neutral forum, impartial facilitation, process management**

# Feasibility Assessment Scorecard Exercise

## MOG Feasibility Scorecard Exercise Worksheet Tabulation

Form #	Question Number													Total
	A	B	C	D	E	F	G	H	I	J	K	L	M	
Average	3.7	3.6	3.4	3.3	3.3	2.3	3.7	3.7	3.6	3.3	3.4	3.8	3.7	44.90244
Stnd Dev	0.7	0.7	0.7	1.0	0.8	0.9	0.9	0.8	1.0	0.9	0.9	0.7	0.8	5.6
Mode	4	4	4	3	3	2	4	4	4	4	4	4	4	

# Feasibility Assessment Scorecard Exercise Results

## Incentives Identified:

- **Avoid litigation**
- **Potential regional delisting opportunities**
- **Opportunities for meaningful participation**
- **Continue use of areas along with designation of closed areas**
- **A more quantifiable plan**
- **Get current data on the table**
- **Having a voice**
- **Partnership building to conserve listed species**
- **Regulatory relief**
- **Pool funds and expertise**
- **Buy-in**

# Feasibility Analysis Conclusions

- 🐢 Not recommended to proceed directly with convening Regional Working Groups
- 🐢 Collaborative process may be feasible using a stepwise approach to....
  - 🐢 **Create foundation for constructive engagement**
  - 🐢 **Design process collaboratively**
  - 🐢 **Identify credible base of information**
  - 🐢 **Build joint ownership and confidence in process**
  - 🐢 **Develop shared accountability for making progress**
  - 🐢 **Establish required organizational structures**

# Recommendations for Proceeding Towards Collaborative Process

## 1) FWS Reaffirm Commitment to Collaboration

- ✓ **Articulate meaning of “collaboration”**
- ✓ **Confirm “Basic Principles” to guide process**
- ✓ **Proposed roles of other federal, tribal, state, local agencies and nongovernmental stakeholders**
- ✓ **Indicate level of agreement being sought and/or required, and with which entities**
- ✓ **Establish overall timeline, realistic milestones and deadlines**
- ✓ **Indicate fallback process if collaboration not successful**

# Spectrum of Engagement in Shared Decision-Making

**INCREASING DEGREE OF INFLUENCE**

<b>Involve</b>	<b>Collaborate</b>	<b>Partner</b>
<p>FWS engages directly with interested stakeholders to ensure their issues and concerns are understood, seriously considered, and directly reflected in the proposal being developed. Feedback is provided on how their input influenced the final decision.</p>	<p>FWS engages directly with others who are interested in working together to jointly develop solutions to achieve the shared goal of desert tortoise recovery. The mutual commitment is to work hard to seek agreement on solutions, if possible. while recognizing that FWS cannot delegate its authority and ultimately retains responsibility for making final decisions.</p>	<p>FWS and other governmental entities who have management authorities and shared responsibility for endangered species partner directly to jointly address the challenges of recovering the desert tortoise. These partners hold themselves mutually accountable for achieving the goal of recovery.</p>

# Recommendations - continued

## 2) FWS Reiterate and Clarify Recovery Planning Policies, Parameters, and Possibilities

- How will RU, DPS, DWMA concepts be utilized (or not) in recovery planning process?
- Basis for geographical boundaries of Regional Working Groups
- Relationship between Sec. 10 Take Permits and recovery responsibilities
- Clarify possibility for:
  - Revising Critical Habitat, Recovery Unit, DWMA designations
  - “Safe Harbor” agreements
  - Delisting by Recovery Unit as Recovery Criteria are achieved

# Recommendations - continued

## 3) Reinvigorate the MOG

- ✓ Clarify and confirm purpose of MOG
- ✓ Clarify relationship between MOG and DMG
- ✓ Clarify and confirm role and responsibilities of various MOG participants
- ✓ Reaffirm commitment of agency leadership to MOG process
- ✓ Document mutual understandings and expectations in MOU

# Recommendations - continued

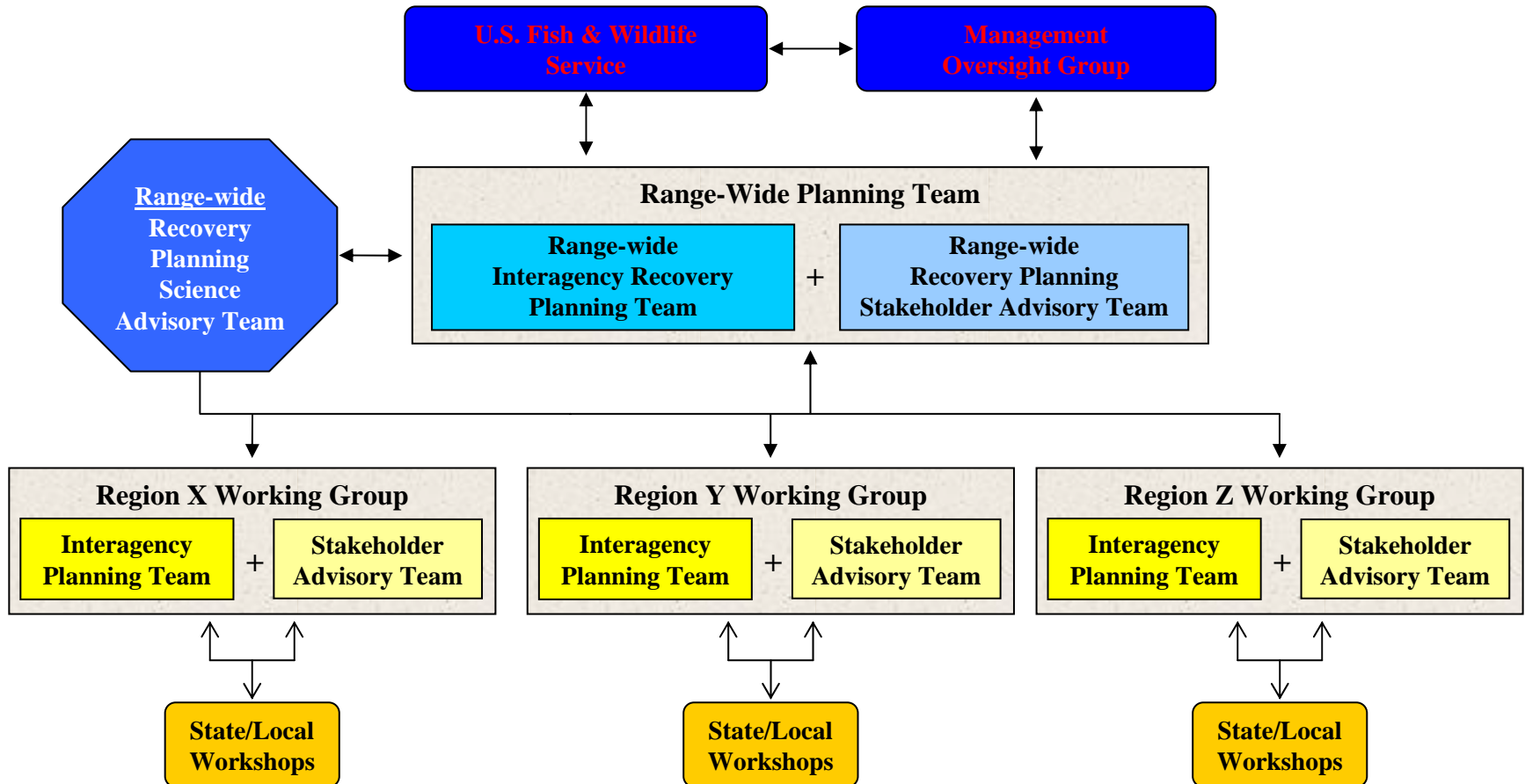
## 4) FWS & Partners Address Resource Requirements

- **Staffing support**
- **Travel support for participants (as required)**
- **Neutral process design and facilitation**
- **GIS Decision Support Tools and Models**
- **Additional joint fact-finding (as required)**
- **Negotiate cost-sharing arrangements**
- **Identify stakeholder contributions (if any)**






# Recommendations - continued

## **5) Establish organizational structure for collaboration**







# Proposed Organizational Design for Collaboratively Developing Revised Recovery Action Plan



# Suggested Next Steps

-  Solicit feedback on Draft Situation Assessment Report
-  Interested parties review Draft Report; discuss internally their willingness to support proposed approach; provide feedback and comments to USIECR
-  USIECR develops Summary of Comments
-  FWS considers feedback and proposes to MOG how to proceed
-  If agreed, MOG appoints Range-Wide Interagency Recovery Planning Team

# Proposed Timeline

-  Draft Situation Assessment Report – September 15
-  Comments due on Draft Report – October 27
-  USIECR issues Summary of Comments – Nov. 10
-  FWS/DTRO proposes how to proceed – February  
MOG Meeting ??
-  MOG appoints Range-Wide Interagency Recovery  
Planning Team – March 2007 ??
-  Range-Wide Interagency Planning Team appoints  
Stakeholder Advisory Team – April 2007 ??

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